

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U. S.)

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14 October 1945

MEMORANDUM FOR MR. PRICE

I appreciate your courtesy in letting me see a copy of the preliminary draft of your report to the President. In general, it is preaching the same doctrines which General Eisenhower and I have adhered to since before VE-Day and that is that the long-range job of military government in Germany must be administered with the Army of Occupation as its police force.

As you know, we have brought as many civilians as we have been able to obtain into the picture and are continuing to do so with this end in view.

I appreciate your fair consideration of the work of the Army today. I quite agree with you with respect to the effect of the delay in the trials of war criminals and in the failure of the Allied Control Council to agree on basic points of policy. Failure of the latter to take steps to establish enough central administrative machinery to permit the government of Germany as an economic unit as contemplated at Potsdam has resulted almost entirely from the rigid opposition of the French.

I am somewhat doubtful of the date for the selection of a civil governor for the American zone. I fully agree that capable civilian administrators be brought into Germany as soon as possible to take charge of those departments which are not already headed by civilians and that our budget and legislative programs for the occupation of Germany should have this in mind.

I also believe that a civil governor should be appointed at the earliest possible date. However, under the agreement establishing quadripartite government, all four governments agreed to the designation of the Commander-in-Chief of each of the governments as military governor and representatives on the Allied Control Council. I am sure that it would be unwise to designate a civil governor until this question has been taken up at governmental level with the four countries involved. I am quite sure that the British will go along with the proposal at an early date. However, I do not know what the reaction of the French and Russians will be. When the question has been taken up between the four governments, a definite date should be fixed and a civil governor should be appointed to take over on that date. I do not think it would be fair to leave the Army commander in the position of still having to govern Germany with a civil governor designated to take over but not actually having taken over.

Perhaps what you have in mind could be accomplished as an interim measure by the appointment of a civilian deputy to replace me, with the ultimate responsibility to be transferred to him at a somewhat later date when the overall organization has been made predominantly civilian in character. The target date which we have in mind for the latter to be accomplished is about 1 July of next year, although there is reason to hope that we will be able to complete the transition earlier so that the change could be made in the spring.

Some weeks ago we requested, and I believe now have enroute, a small group from the Boy Scouts of America to be used to establish Boy Scout groups throughout our zone. If this proves successful, we propose to follow it up with similar work for girls. I quite agree with you that this is a most important part of our program.

I am not too sure about the utilization of technicians in the field of education to complete reorganization of the German schools and universities. A small number of broadly qualified and outstanding persons in the educational field to outline basic policies and to promote liberal thinking in universities would be most desirable. However, it is my belief that the technical reorganization of these schools under such policies must be accomplished by the Germans themselves and that the German people must realize this.

In general, your other specific remarks are in accord with our policies and objectives and we are making every effort to carry them out.

LUCIUS D. CLAY

Lieutenant General, U. S. Army

Deputy Military Governor

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Mr. McCulloch

*For
Mr. C*

*Byrd
Report*

MEMORANDUM TO THE PRESIDENT:

This report is submitted in response to your request of August 30 that I survey "the general subject of relations between the American Forces of Occupation and the German people" so that you might have the benefit of a wholly detached view of this highly important situation.

The statements of conditions are based on trustworthy information gathered from many sources during ten weeks of inquiry, mostly inside Germany itself. The conclusions and recommendations are entirely my own.

Considering all of the difficulties, which few people in this country are in a position to understand, General Eisenhower and his staff have done better than a good job governing the German population of the American Zone. Mistakes have been made and some confusions persist, but in general relations with the mass of Germans are on a sound basis. In so large and complex an operation no one should ask for perfect results in so short a time unless he expects miracles.

Now, at the end of six months, the entire field of these relationships is turning a corner. Actual disarmament and demilitarization of the German nation are nearing completion, and purely military problems are being replaced by entirely different but equally difficult problems of civil administration. Our ranking military leaders feel that the administrative machinery of the Army is not well adapted to the tasks of governing a foreign population. New decisions thus are required, and the responsibility of those decisions, involving questions of high national policy, rests heavily on Washington.

It may possibly be helpful to you in meeting the responsibility if I state the principal problems bluntly, as I see them.

The entire basic structure of Military Government in Germany, including the Potsdam Declaration, should be reexamined in the light of experience and new conditions.

The United States must decide whether we mean to finish the job competently, and provide the tools, the determination and the funds requisite to that purpose, or withdraw.

We must decide whether we are going to permit starvation, with attendant epidemics and disorders, in the American Zone, or ship the food to prevent it.

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We must decide whether obstructions raised by the French Government, which have deadlocked the four-power Control Council at Berlin, are to be permitted to defeat the underlying purposes of Allied policy.

We have reached the stage where we must determine much more specifically what we are going to do about minor hirelings of the Nazi Party and its satellite agencies, and how far we are going in destroying the industrial structure of Germany.

Not of least importance, it must be decided how fast and how far the Government is to go in changing from military to civilian control in Germany. Really competent civilian administrative personnel and advice must be provided from within the present governmental establishment at Washington if any such changeover is to have a chance of succeeding.

The urgency of these decisions is deepened not only by the continuing four-power deadlock at Berlin, but by the approach of winter. The next few months will be the critical months. They will determine whether the American Government, in its first large-scale attempt at governing a conquered people, is to succeed, or fail, or abandon the effort.

There can be no question that the vengeance of Nature's God lies heavily on the German people. They are paying in kind for the unparalleled miseries and cruelties for which they are responsible. As cold weather begins, millions find themselves housed against the raw climate in rubble heaps and caves, without fuel for heating, and with a food supply rated by medical standards well below the level of subsistence. Just now these people are quiescent, and lawlessness is negligible, although epidemics begin to threaten the health of Western Europe. There is plenty of evidence, however, that the Germans are nursing old and new hatreds with mounting bitterness as their situation becomes more desperate; that they are listening hourly, with traditional credulity, for the voice of whatever type of new leader desperation may produce.

We must wonder what the relations between our dwindling Army of Occupation and the German people will be during these critical months. It would be a great mistake to assume that the German people love us, or are inclined to turn to American ways. Fraternization, which has come about naturally and inevitably, has made some friends, particularly among the young children who are the hope of the long future; for the American soldier is the world's best salesman of democracy. It is true also that many anti-Nazi Germans are cooperating with the Military Government, but even they show signs of confusion and puzzlement. They wonder what will come of it all, and how long it will be before the great American republic across the seas wearies of the task.

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The flowers strewn in the pathway of the first Allied invasion forces at Aachen have long since turned to dust, and can hardly be revived. Many of the same Germans who at first greeted the Americans as liberators have since shown surprise and depression at our stern policies of de-Nazification, and at our inability to find the key to the four-power deadlock which hamstrings so many important policies. In no other zone in Germany have the de-Nazification clauses of the Potsdam Declaration been interpreted so literally or applied so rigidly. In no other zone has a more honest effort been made to carry out declared national policy with respect to the dismantling of German industry. The enforcement of these policies reacts inevitably to stir German resentment, create confusion, and hamper the efficiency of the newly-created German governmental and social machine. Military Government knows now that it cannot have its cake and eat it, too.

To understand how much actually has been accomplished, it is necessary to recall the situation of indescribable chaos inherited by General Eisenhower when he became Military Governor of the American Zone less than six months ago. The German nation had not simply suffered a military defeat. Not only its armed forces, but the government itself had disappeared, leaving anarchy behind. The whole national economy, including the most essential facilities of organized society, and the people's political ideologies and household gods as well, were buried under the rubble. It is doubtful whether any Occupying Army in history ever faced a task of parallel magnitude.

The situation would have been difficult enough had General Eisenhower been free to grapple with it as he pleased. He had not, and has not, that opportunity. The necessities of the military situation required, on the one hand, that the American Military Governor deal cooperatively and on a basis of equality in policy matters with the military authorities of Great Britain, Russia and France; and pressures from home required at the same time that the complex task of Military Government be undertaken with patched-up and constantly-changing administrative machinery, from which some of the most capable administrators still are being demobilized daily.

The problem of stimulating food production in Germany, so that the American Zone may in time feed itself and cease to be a public charge, illustrates in one field the handicaps which permeate many fields of Military Government. Nazi Germany had the world's most intricate and efficient system of crop control. American Army officers who were commissioned in Military Government as experienced agricultural experts, undertook to restore this system as the best available means to a desirable end. What happened? The German system was a national system, and it developed that other members of the four-power Control Council were not ready (and are not yet ready) to deal with Germany as an economic unit, as provided by Potsdam; so the case had

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to be dealt with piecemeal in the American Zone. Next, the Nazi officials who dominated the system from top to bottom had to be removed under top-level orders, and less experienced Germans substituted. Finally, some of the most capable Americans, who understood best the intricacies of the system, were discharged from the Army and came home on points. The results, which have been duplicated with variations in transportation, communications and other essential services, can be surmised. Nor can blame for these results be placed on the Army of Occupation.

Despite these and other handicaps, order and comparative tranquillity have been reestablished within six months throughout an American Zone having 18,000,000 inhabitants, so that the present crime rate actually is lower than in the United States. Demilitarization has been largely achieved. Nazism has been completely uprooted from the government service, and to a large degree from private industry. Dismantling of industrial plants not needed for peacetime German economy has begun. Firm ceilings have been put on prices and wages to cope with a still-dangerous trend toward inflation. Transportation and communications are being revived within limits, and the food control program is working as well as possible under the circumstances.

Elementary schools have been reopened throughout the entire Zone, and provided with new textbooks free of Nazi propaganda. A few seminaries and professional colleges also are opening, but 80 percent of the experienced teachers were Nazis, and a shortage of qualified substitutes leaves many gaps in the reconstituted educational system. At the end of October a score of newspapers and several magazines were being published in the Zone, most of them by Germans under license and the remainder by the Army. Radio broadcasting had been restored, and a considerable number of theaters and concert halls licensed; but slow progress had been made in the reopening of motion picture theaters. A comprehensive public health program had been inaugurated to guard against epidemics. Newly-organized political parties and labor unions were giving German citizens actual experience in the ways of democracy.

Of some 3,000,000 displaced persons who swarmed over the American Zone after VE-Day, all but about 400,000 have been repatriated. At the special request of General Eisenhower I visited during October several of the settlements in which these persons are housed. Four such centers,--at Stuttgart, Feldafing, Wolfratschausen and Deggendorf.--were reserved for Jews. None of these is a "camp" in the ordinary sense; with few exceptions the buildings are of permanent winterized construction, mostly stone or brick, equipped with hospitals and community kitchens, and heated. The residents are free to come and go at will. In only one instance did I observe overcrowding and that situation was being remedied. There appeared to be no serious shortage of medicines, clothing or blankets, but nowhere was there sufficient cleaning material. The official records showed a daily ration of 2300 to 3800 calories, far

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in excess of the European average. These unfortunate people are not living under the best of conditions but I received no complaints of physical suffering.

Many interesting details could be added to this brief summary of conditions but a great quantity of such material already has been made available to you and to the public in the monthly reports of General Eisenhower. Taken altogether, it seems to me a notable record of progress, whatever may be said by noisy back-seat drivers. No one who knows the facts can fail to give General Eisenhower, his Deputy General Clay, and the staff of Military Government generally his continuing confidence and commendation. In no other zone in Germany has greater progress been made toward the declared objectives of the Allied occupation.

This does not mean that mistakes have not been made. Nor does it mean that Germany is being rebuilt except as to the essentials for national subsistence and democratic rehabilitation. All but a comparative few of the great German industrial plants still lie under the rubble, and although much of the buried machinery may be usable at some future time, there is no coal to operate it. The best available information indicates that overall production in the American Zone is between 5 and 10 percent of normal, and the prospect for a further increase is extremely uncertain. As now plants open up, others close either from lack of fuel or because raw materials, left over from the war days, have been exhausted. Main-line railroads are 90 percent usable, but the rolling stock is old and unreliable, schedules are slow, and a very large part of the available shipping space is needed for Allied military purposes. There certainly is not the slightest evidence that German industry can become, within the foreseeable future, sufficiently strong to permit diversions of production for German war purposes.

The housing situation remains desperate. Of the 18,000,000 people in the American Zone, 14,000,000 are incities, and the ruins of once-great cities dominate the landscape everywhere. There is no coal for heating, and as already noted, the supply of food for the coming winter now appears well below the level of bare subsistence. In many cities utilities still are almost non-existent, although a few street car lines are running and here and there street lighting has been restored on a limited scale. A small fraction of the German population now has telephone service, but no private automobiles are in operation except when licensed for essential purposes by Military Government. A prime problem is how to develop exports, so that Germany can pay for indispensable imports of food. The most optimistic estimate I have seen places possible exports of lumber, textiles, hops, optical instruments and all other materials from the American Zone up to mid-1946 at about half the value of essential imports.

Notwithstanding the punishments Germans now suffer, and those still before them, there is no apparent realization of collective guilt

for the unspeakable crimes committed by the German nation or for the unforgivable anguish and suffering spread by Germany throughout the world. One young German, who professed only hatred for Nazism, referred to Germany repeatedly in conversation as having been "drawn into the war." Thousands of beautiful and essential highway and railway bridges throughout Germany were demolished by the German Army in retreat; but German blame for that destruction is very often directed against the Allies. Intelligence reports indicate clearly that all of our propaganda effort to instill a sense of collective German guilt has fallen flat.

Similarly, our efforts to kindle democratic aspirations has produced but indifferent results. Few Germans understand the language of democracy, and such terms as "home rule" and "collective bargaining" confuse great numbers of the population and leave them skeptical. There is widespread and apparently genuine questioning of any political system where more than one name appears on the election ballot. Doubtless many are trying to understand, even if they fail to do so. Political meetings are often well attended, but principally by the older Germans. In at least one case, where several thousands were present, less than one percent were under 25 years of age. The field that should be most fertile for the development of political initiative and social independence thus appears actually the most sterile. The Hitler Youth has been disbanded as an organization but groups of its former members have made themselves a major problem of the occupation.

The German's traditional aversion to thinking for himself is not the only handicap to the full development of political activity. Many Germans ask why, if we really believe in self-government, we bar from the list of candidates all Nazis, although they not infrequently are the strongest leaders in the community. The answer is well understood by Americans, but not by Germans. Many others, seeing some 80,000 Nazi Party members behind prison bars in the American Zone alone, are chary of ever aligning themselves hereafter with any political party whatever. And the greatest drawback of all is the inescapable fact that the average German today is too busy trying merely to exist to find time for politics. Possibly some of these barriers may be removed once the German communities have had the actual experience of voting in the local elections which are to begin immediately after the first of the year.

The organization and growth of labor unions has gained considerable headway in the American Zone, but it is far too early to forecast the consequences. In that field there is the precedent of the effective unions which existed before 1933, remembered pleasantly by many workers. But the entire trades union movement is handicapped by the Military Government prohibition against bargaining at this stage with respect to either wages or hours. In the view of many Germans, this restriction, which is a part of the system of anti-inflationary controls, robs the newly-formed unions of substantial significance.

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Whatever may be said of German recalcitrance, and the dubious outlook for their acceptance of democratic institutions, one thing is certain. The German people do realize,--they have been made to realize,-- that they lost the war decisively. They are at this stage a thoroughly beaten and frightened people. As a purely practical proposition they know they will be required to pay heavily. They have gone back to work with a stubborn determination to live and to rebuild their country, whatever the cost; no people in Europe is working harder. Lacking transport, millions are walking unbelievable distances daily to obtain and hold jobs. Germany has become a pedestrian nation, plodding a weary road toward what destination it does not know. But without doubt the Germans mean to go on, to survive as individuals if possible, but above all to see Germany survive.

German survival has been also the expressed desire of Allied statesmen. Since the German surrender this purpose has been reiterated in the Potsdam Declaration, which provides that Germany is to be treated as a single economic unit, and allowed to have sufficient resources to "subsist without external assistance." I understand these pronouncements to represent, not an expression of sympathy or pity for a people who have outraged every law of decency and civilization, but a practical recognition that if Germany were to become an economic void, or the seat of starvation, epidemic and revolution, she would remain a menace to the peace and prosperity of the entire world.

Because I know it is your desire to safeguard that policy during the critical months immediately ahead, I submit for your consideration the following suggestions to help maintain sound relations between Military Government in Germany and the German people:

1. The necessity for breaking the present deadlock in the Control Council at Berlin is so important that use of the full force and prestige of American diplomatic power to that end is fully warranted.

Repeated attempts have been made to set up common policies so that the German railways, the German postal service and other essential facilities could be operated as integral national systems. All of these attempts have failed, due almost entirely to the rigid opposition of the French.

As a result of the French attitude, Germany is not being treated as an economic unit. Instead what is happening amounts, to speak plainly, to the economic dismemberment of Germany. This is a reversal of basic objectives and, I believe, a certain step toward future international friction.

If France is really bent on the dismemberment of Germany, as her acts indicate, she should be made to acknowledge that policy before the world and not permitted to hide behind the opposite pronouncements of the Potsdam Declaration. Our own policies should then be reexamined accordingly.

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2. The proposed change-over of Military Government from Army to Civilian Control will be advantageous only if the very highest type of civilian administrators can be assigned to Germany. Second-raters not only would fail, but would involve this Government in untold new difficulty.

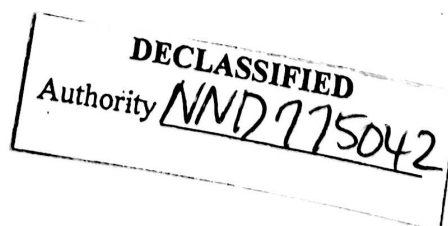
As individuals and executives, the Army officers now in charge of Military Government are a highly capable group of men. The only point in making a change would be to rid Military Government of the complicated Army forms and procedures, which were created for a vastly different purpose and are not sufficiently pliable to be adaptable to civil affairs. It is not the men in charge, but "the Army system," with its necessary devotion to rank, channelization and precise regimentation, which does not fit the needs of the situation.

In my opinion no change to top Civilian Control should take place earlier than June 1, 1946, the date originally recommended by General Eisenhower. The intervening time is none too long to permit a sufficient number of civilian replacements to be assembled and given the requisite training and experience on the ground in Germany.

Intensive planning should begin at once. Steps should be taken to remove any existing barriers to installation of a Civilian Governor or High Commissioner, whether such barriers exist in international agreements or in legislative or budgetary restrictions.

It is probable that the new civilian officials will have to be recruited largely from among experienced specialists already in the Government Service in this country. Those chosen to head departments in the Military Government should have rank and pay comparable to Undersecretaries in Washington; and it should be the definite responsibility of every Cabinet Member and Agency Head to interest himself in the problem, to comb the specialized personnel of his branch of Government, and to see that fully-qualified officials, not cast-offs, are provided. To facilitate the handling of diplomatic aspects, one Assistant Secretary of State might well be designated to supervise all communications relating to Military Government in the occupied areas abroad.

Substitution of civilian personnel in Germany should have limits. I suggest that some Military Government officials, such as those in charge of public safety and some of those in the lowest rank, in direct touch with the German people locally, should remain in uniform.



Selection of the new civilian chief of Military Government must be made by the President with great care if the experiment is to succeed. The appointment should under no circumstances have partisan political implications. An ideal choice would be an army officer of proven judgment and administrative ability, with a known military background in the European theater during this war, who would be willing to serve in a civilian capacity and administer according to civilian formulas.

Special efforts should be made also to retain the services of as many as possible of the officers trained in Military Government and now serving there. In these ranks are many highly valuable men.

3. The highest-level instructions issued to Military Government from Washington are in need of revision in the light of experience.

The present basic instrument of Military Government is a 72-page directive from the Joint Chiefs of Staff in Washington, (JCS 1067), together with various annexes and amendments. It was drafted originally in the Pentagon Building in the first months of 1945, long before anyone knew when the victory would come or what form it would take.

Yet the detailed provisions of this imposing document still fall with untold force upon General Eisenhower's officers, now long experienced in the actual business of dealing with the Germans.

The whole collection of orders and instructions could profitably be rewritten into a few hundred words of general principles.

4. The food situation in Germany still merits urgent attention.

My understanding is that present plans contemplate a basic ration of 1550 calories and that proposals for an increase have been rejected in Washington.

I know of no competent medical authority who would regard a ration of 1550 calories as satisfactory, or who considers that present rationing in Germany is adequate for a people who are expected to work, and who have no heat at home and no way to reach their places of employment except by walking. The medical evidence is clear that deficiencies of food already are resulting in widespread dangerous loss of weight and in alarming reaction to disease.

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If starvation comes, as now seems likely, epidemics and rioting will not be far behind. The approved medical ration to prevent starvation is 2000 calories, and there is no likelihood that such a ration would permit the bombed-out, freezing, pedestrian Germans to live anything like as well as the European average. To provide such a ration would require additional food exports from the United States, on credit.

A ration adequate to prevent starvation would not mean being soft with the German people. It would represent protection to our own occupation troops against disease and disorder, and decency toward our Allies of Western Europe, themselves undernourished and easily susceptible to disease.

5. No one who remembers the criminal record of Nazism will quarrel with the policy of stamping out the Nazi Party utterly and removing all its members from places of influence or profit in German life.

But Germany will not be rebuilt to peaceful and decent dimensions in a day. Too much haste in the inauguration of sweeping reform has never failed to lead to confusion and error, if not to reaction.

De-Nazification of private industry has gone further and faster in the American Zone than in any other part of Germany. The railroads, which are needed to deliver essential supplies, the communications system and other essential facilities have been handicapped greatly by abrupt removal of Nazis from key positions and installation of inexperienced substitutes.

During this initial period when the clock is being started again, and particularly during the critical months of the coming winter, Military Government should be given greater leeway to decide locally in Germany, when and how de-Nazification in essential services can best be effected.

6. The supervision of the German press, radio, motion pictures and other media of public information and entertainment has been generally well handled, but some changes seem desirable in view of changing conditions.

Many Germans regard the newspapers published under American direction as keyed to so lofty a pitch of democratic idealism as to be un-understandable to the masses. It is desirable that the acts of Military Government be presented and interpreted so far as possible from the viewpoint of ultimate benefit to the ordinary German, rather than from the viewpoint of Military Government itself.

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The present practice of "screening" spot information coming into Germany from the outside world should be discontinued. Such censorship only defeats its own purpose, since the information is currently available to the German people from British or other nearby radio stations. Suppression in the German press or on the German radio raises the question how our policy differs from that of Goebbels.

In general, the German press and radio should have freedom of opinion also, but the publication of anti-democratic propaganda should not be permitted.

Our own propaganda needs to be given an increasingly positive character, in contrast to the long-continued attempt to impress the Germans of their collective guilt, which from now on will do more harm than good. A story circulates among the Germans to the effect that one radio listener who followed the Allied broadcasts throughout the war because they gave him hope, has now put away his receiver because he hears only condemnation and abuse.

We can win converts to democracy only if we again find a way of instilling hope,--hope that Germany again can rise from the dust and become a respected nation if she will devote herself to peace and tolerance, and decent ways of life.

It is most desirable that a better arrangement be worked out to eliminate bottlenecks and assure an adequate supply of American motion picture films for the American Zone.

More books in tune with democratic concepts ought to be available to German booksellers, possibly from stock prepared by the Provost Marshal General for use in German prisoner of war camps in this country.

I am convinced that better results would be attained in all of these matters if the Information Control branch, which supervises publications, broadcasting and theaters, and which certainly is a highly important arm of military government, were made an integral part of the Military Government establishment, instead of operating independently. I am informed that steps to effect such a change are now in process.

7. Thus far there is no evidence of an organized underground resistance in the American Zone, acts of hostility being largely confined to small-time local depredations. But caution cannot be relaxed.

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The former Hitler Youth - young people of their teens, - are potentially the most dangerous single element of the population. It may be hoped that the current effort to organize these crooked-minded children into non-military societies and clubs after the American fashion will help turn them away from idleness and subversion.

It must be remembered, however, that many natural ties bind the Hitler Youth to the millions of recently-discharged German soldiers, to criminal elements among displaced persons, and to the increasing company of Nazis-out-of-office.

The suffering sure to come with winter may be expected to bring into the open whatever threat of real disorder and rebellion may now lie buried beneath the surface.

This is the wrong time to permit General Eisenhower's armed forces in Germany to be decimated and robbed of military effectiveness by demobilization.

8. Every additional day's delay in bringing arrested Nazis to justice weakens the position of Military Government.

There is widespread surprise among Germans that even the highest Nazi officials, held at Nurnberg under international jurisdiction as war criminals, are still awaiting trial.

The Nurnberg trials are not, of course, the responsibility of the Army. However, an additional 80,000 lesser members of the Nazi Party are in prison at the instance of Military Government. Military authorities do not feel that these cases can be tried until dependable precedents have been set at Nurnberg.

Wherever the responsibility lies, the failure to set up adequate tribunals and dispose of pending charges more promptly does not improve relations with a German people who traditionally respect only firm and swift authority.

I have confined this memorandum to matters which I felt were so important that they should be brought to your personal attention. I submitted a number of suggestions on additional subjects directly to General Eisenhower and General Clay in Germany, and am also putting myself at the disposal of the responsible officials of the War Department.

Respectfully submitted.

Byron Price.

November 9, 1945.

